

## **AMENDMENT TO AGREEMENT**

**WHEREAS** the New Jersey Division of Consumer Affairs, Office of Consumer Protection (“Division”), and Home Depot U.S.A., Inc. (“Home Depot”) (collectively, the “Parties”) are parties to an Agreement filed with the Division on August 12, 2010 (the “Agreement”); and

**WHEREAS** Home Depot has notified the Division that certain contact information in the Agreement should be amended;

**NOW THEREFORE**, the Parties hereby agree as follows:

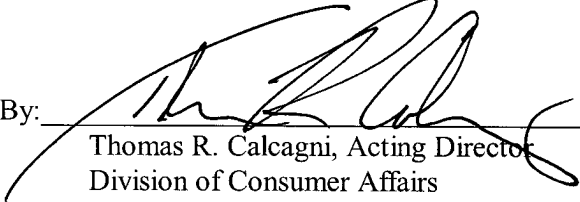
1. Effective Date – This Amendment shall be effective on the date it is filed with the Division. Except as specified herein, this Amendment is not intended to supercede, negate or otherwise alter the provisions of the Agreement except as expressly set forth herein. Capitalized terms herein retain their meanings as defined in the Agreement, except as expressly set forth herein.

2. Modification of Section 6 of the Agreement - Additional Consumer Complaints – The methods by which the Division will forward Additional Consumer complaints to Home Depot shall be amended such that the last sentence in Section 6.1 shall state: “Such Additional Consumer complaints shall be sent to Home Depot via one (1) of the following methods: (a) via e-mail to [ccagency@homedepot.com](mailto:ccagency@homedepot.com); (b) by regular mail to The Home Depot-Customer Care (B3), Agency Complaint Contact, 2455 Paces Ferry Road, NW, Atlanta, Georgia 30339; or (c) by facsimile to 770-384-2270.”

3. General Provisions – The Parties represent that an authorized representative of each has signed this Amendment with full knowledge, understanding and acceptance of its terms and that this person has done so with authority to legally bind the respective party. This Amendment shall be binding upon the Parties and their successors in interest. In no event shall assignment of any right, power or authority under this Amendment avoid compliance with this Amendment.

**THE PARTIES CONSENT TO THE FORM, CONTENT AND ENTRY OF THIS AMENDMENT ON THE DATES UNDER THEIR RESPECTIVE SIGNATURES.**

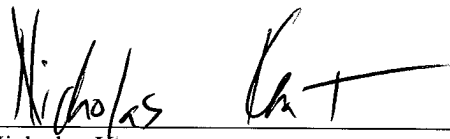
PAULA T. DOW  
ATTORNEY GENERAL OF NEW JERSEY

By:   
Thomas R. Calcagni, Acting Director  
Division of Consumer Affairs

Dated: Sept. 13, 2010

FOR THE DIVISION:


PAULA T. DOW  
ATTORNEY GENERAL OF NEW JERSEY

By:   
Nicholas Kant  
Deputy Attorney General  
Consumer Fraud Prosecution Section  
124 Halsey Street - 5<sup>th</sup> Floor  
Post Office Box 45029  
Newark, New Jersey 07101

Dated: Sept. 9<sup>th</sup>, 2010

FOR HOME DEPOT:

DIFRANCESCO, BATEMAN, COLEY,  
YOSPIN, KUNZMAN, DAVIS & LEHRER, P.C.

By:   
David P. Wadyka, Esq.  
DiFrancesco, Bateman, Coley,  
Yospin, Kunzman, Davis & Lehrner, P.C.  
15 Mountain Boulevard  
Warren, New Jersey 07059

Dated: S. C, 2010